

EXPRESS MAIL NO. EV447225458US

#2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Randy Keith Lomnes  
Application No. : 09/923,727  
Filed : August 6, 2001  
For : METHOD AND SYSTEM FOR AUTOMATICALLY  
PRESERVING PERSISTENT STORAGE

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Technology Center 2100

Art Unit : 2131  
Docket No. : 470039.401  
Date : April 16, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:


In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, applicant wishes to make known to the U.S. Patent and Trademark Office the references set forth on the attached Form PTO-1449 (copies of the cited references are enclosed). As to any reference supplied, applicant does not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserves the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicant's duty to disclose all information he is aware of which is believed relevant to the examination of the above-identified application, applicant believes that his invention is patentable.

Please acknowledge receipt of this Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

Applicant believes this Information Disclosure Statement has been timely filed, however, the Director is authorized to charge any fee due by way of this Information Disclosure Statement to our Deposit Account No. 19-1090.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC



Ellen M. Bierman  
Registration No. 38,079

EMB:asl

Enclosures:

Postcard

Form PTO-1449

Cited References (7)

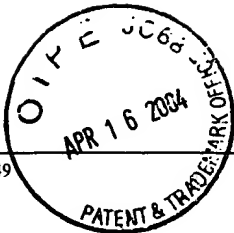
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Sheet 1 of 1FORM PTO-1449  
(REV.7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
470039.401APPLICATION NO.  
09/923,727INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)APPLICANT  
Randy Keith LomnesFILING DATE  
August 6, 2001GROUP ART UNIT  
2131

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,657,473	08/12/97	Killean et al.	395	490	
	AB	6,092,161	07/18/00	White et al.	711	163	
	AC	6,526,488	02/25/03	White et al.	711	163	
	AD	6,684,309	01/27/04	White et al.	711	163	
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						

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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AK	0 516 682 B1	06/21/95	EP		
	AL	0 800 135 A1	10/08/97	EP		
	AM	1173311	10/07/89	Japan (+ English abstract only)		X
	AN					
	AO					

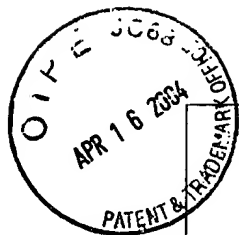
## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AP	
	AQ	
	AR	

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).



04-19-04

2131

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**TRANSMITTAL  
FORM**(To be used for all correspondence  
after initial filing)

Application Number	09/923,727
Filing Date	August 6, 2001
First Named Inventor	Randy Keith Lomries
Art Unit	2131
Examiner Name	
Attorney Docket No.	470039.401

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**ENCLOSURES (check all that apply)**

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Response
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement; Form PTO-1449
- ☒ Cited References
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts under 37 C.F.R. 1.52 or 1.53
- ☐ Response to Missing Parts/Incomplete Application

- ☐ Drawing(s)
- ☐ Request for Corrected Filing Receipt
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation, Change of Correspondence Address
- ☐ Declaration
- ☐ Statement under 37 CFR 3.73(b)
- ☐ Terminal Disclaimer
- ☐ Request for Refund

- ☐ CD(s), Number of CD(s) \_\_\_\_\_
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (*Appeal Notice, Brief, Reply Brief*)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Return Receipt Postcard
- ☐ Additional Enclosure(s) (*please identify below*):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual Name	Ellen M. Bierman	Customer Number <b>00500</b>
Signature	<i>Ellen M. Bierman</i>	
Date	April 16, 2004	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	***SENT VIA EXPRESS MAIL***	
Signature		Date:

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
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